

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DERRICK JACOBS

CIVIL COMPLAINT NUMBER: 19-CV-4616

V.

CITY OF PHILADELPHIA, et al.

PLAINTIFF'S MOTION TO COMPEL

A. BACKGROUND

1. On October 5, 2023, the Court issued an Order (ECF 153) for the defendants to provide a privilege log containing the withheld documents by October 19, 2023.
2. The defendants failed to abide by the Court's Order.
3. The plaintiff requested a motion for sanctions as a result of the defendants intentional and continued violations of the FRCP.
4. On November 28, 2023, the defendants admitted to the Court their violation of the Court's Order (ECF 153), stating the privilege log was provided to the Court not the plaintiff. The Court, once again, allowed the violations of the FRCP by the defendants, stating why did you give the log to the Court and not the plaintiff? I (Court) don't need it; the plaintiff is the one that needs it. The Court Ordered the defendants to provide the privilege log on or before November 30, 2023.

B. ARGUMENT

5. During the defendant deposition of the plaintiff they provided multiple fabricated documents (exhibits) they are now claiming privileged.
6. The defendants are hiding the fact the fabricated documents, now claiming privilege in an effort to hide nefarious actions against the plaintiff. When the plaintiff confronted the fabricated documents used the defendants are now claiming grand jury secrecy.
7. The plaintiff was sworn into the Twenty-Ninth grand jury, so the PA §4541 grand jury secrecy would not apply.

8. Furthermore, the grand jury transcript the defendants claimed were “lost” were presented by the defendants during the deposition of the plaintiff.
9. Privilege document **TTPRIV 00001777** is a fabricated document that was presented to the plaintiff during his deposition.
10. This case was filed by a pro se litigant on October 4, 2019. The fact that experience attorney(s) waited until two (2) days before the fact discovery deadline to produce an extensive privilege log is prejudicial to the individual pro se plaintiff. The defendants’ actions are obvious and intentional act(s) of bad faith. Attorneys from a major Philadelphia law firm had to be told by the Court to provide the privilege log to the pro se plaintiff two (2) days before the November 30, 2023 fact discovery deadline. The attorneys’ violation of the Court’s Order, (ECF 153) speaks volumes.

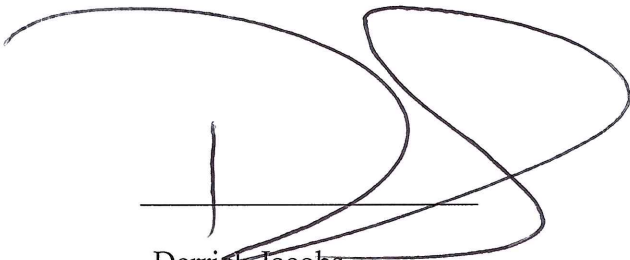
C. SANCTIONS

11. Plaintiff request sanctions

D. CONCLUSION

12. The Motion to Compel and Request for Sanctions should be GRANTED based upon the above listed facts.

December 14, 2023



Derrick Jacobs

Plaintiff

Pro Se

CERTIFICATE OF SERVICE

I, Derrick Jacobs, Plaintiff within the above-captioned matter, hereby certify that a true and correct copy of Plaintiff's Motion according to the Federal Rules of Civil Procedure was sent via ECF upon the parties on the date shown below.

Date: 12/14/2023



Derrick Jacobs,

Plaintiff

Pro Se